

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 610 of 2019

- Tarun Kumar Shukla S/o Raj Kishore Shukla Aged About 60 Years Occupation Head Master, Thakur Pyarelal School Rajnandgaon Chhattigarh R/o Cinema Line, P. S. Rajnandgaon Kotwali, District Rajnandgaon, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through The Police Station Rajnandgaon Kotwali, District Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant : Shri Ashutosh Shukla, Advocate.
For Respondent/State : Smt. Smita Ghai, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

20/03/2019

1. The Applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 13/2019 , registered at Police Station – Rajnandgaon Kotwali, District – Rajnandgaon, Chhattisgarh, for the offence punishable under Sections 354 A of the IPC read with Section 8 of POCSO Act.
2. In this case, at the relevant time age of the prosecutrix was about 12 years and she was studying in Class 7 at Thakur Pyarelal Govt. School. Applicant is the Principal of the said School. On 04.01.2019, mother of the prosecutrix lodged FIR wherein it has been stated that when her daughter arrived from school, she was crying. On being asked, she informed that after the examination was over, present Applicant stopped her and asked her to set the answer sheet according to roll number. Allegedly, present Applicant tried to outrage the modesty of the prosecutrix by touching her back and thigh. On the basis of the said, offence has been registered and Applicant has been

taken into custody since 04.01.2019.

3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case due to some misunderstanding. It is further submitted that subsequently, the Complainant who is the mother of the prosecutrix, has submitted a request to the S.H.O. of the concerned Police Station for withdrawal of complaint and she has also made an affidavit in support of that. At present, Applicant is in custody since 04.01.2019 and trial will take time. Therefore, he may be released on bail.
4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that Applicant is in custody since 04.01.2019 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge